

Appendix E

Relations with External Parties

Because of the unprecedented nature of OCRWM's mission, Congress designed the Civilian High-Level Radioactive Waste Management Program to be one of the most closely scrutinized in the public arena, subject to exceptionally broad and intensive review, regulation, and oversight. This appendix presents an overview of the formal interactions in which we are engaged.

Review, Regulation, and Oversight

Parties that regulate, formally review, and oversee our Program are identified below, followed by a list of the hearings, briefings, and meetings they held in Fiscal Year 1998 and the topics discussed at each. Appendix F includes a list of selected publications issued by some of these parties in Fiscal Year 1998.

- *Congress*

Congress defines our statutory basis, appropriates funds, and monitors our progress. The congressional committees that exercise primary oversight of our work are the Senate Committee on Energy and Natural Resources, the House Commerce Committee, and the Energy and Water Development Subcommittees of the House and Senate Appropriations Committees.

- *General Accounting Office*

The General Accounting Office is an arm of Congress. It is required by the Nuclear Waste Policy Act to audit our Program every year. It also reviews and reports on program activities in response to specific congressional inquiries and requests.

- *Nuclear Regulatory Commission*

The Nuclear Regulatory Commission exercises a statutory role under the Nuclear Waste Policy Act. It defines regulatory standards for the protection of the public and the environment from radioactive releases associated with storage and disposal of high-level radioactive wastes and spent nuclear fuel. It is responsible for certifying and licensing the components of the waste management system, including the repository, facilities for storing spent nuclear fuel, and transportation casks. It mandates quality assurance requirements and content requirements for license applications.

We engage in preclicensing consultations with the NRC's Division of High-Level Waste and its Spent Fuel Projects Office. The former interacts frequently with our Yucca Mountain Site Characterization Project on matters related to site characterization and the repository. The latter has interacted with our Acceptance, Transportation, and Integration Project on non-site-specific issues associated with interim storage. Both offices interact with our Office of Program Management and Administration.

We also provide information to the Commission's Advisory Committee on Nuclear Waste, which reviews the work of Commission staff and makes recommendations to the Commission regarding the adequacy of that work.

- ***Nuclear Waste Technical Review Board***

The Nuclear Waste Technical Review Board exercises a statutory and independent role established in the Nuclear Waste Policy Amendments Act of 1987. It must evaluate the technical and scientific validity of activities related to site characterization and to the packaging and transportation of high-level radioactive waste and spent nuclear fuel.

The Board is required to report its findings, conclusions, and recommendations to Congress and the Secretary of Energy at least twice a year.

The Board's meetings provide the public with an opportunity to observe and comment on technical exchanges among the Board, Program and contractor staff, and other scientists.

- ***National Academy of Sciences***

The National Academy of Sciences' Board on Radioactive Waste Management reviews our Program on an as-requested basis, offering technical expert review and advice on program issues. The Board performed no reviews during Fiscal Year 1998.

- ***Environmental Protection Agency***

The Environmental Protection Agency promulgates environmental radiation protection standards for the management and disposal of spent nuclear fuel and high-level radioactive waste. The Energy Policy Act of 1992 directed the agency to issue new radiation protection standards to apply specifically to the Yucca Mountain site. At the end of Fiscal Year 1998, new standards had not yet been issued.

- ***Department of Transportation***

The Department of Transportation regulates transportation of highly radioactive materials, including spent nuclear fuel. Its regulations govern handling of shipping containers, labeling of containers and placarding of transport vehicles for identification purposes, driver training and certification, and highway routing.

- ***State of Nevada and affected units of local government***

Under the Nuclear Waste Policy Act of 1982, the State of Nevada and Nye County, the county within which the Yucca Mountain site is located, are entitled to exercise oversight of site characterization activities and to receive financial assistance for this purpose. Pursuant to the Amendments Act of 1987, the Secretary of Energy designated nine counties contiguous to Nye County (including Inyo County in California) as *affected units of local government* and therefore eligible to receive Federal financial assistance to review and monitor site characterization activities.

The Amendments Act also gave the State and Nye County the right to designate on-site representatives to oversee site characterization and to receive funding for associated “reasonable expenses.” The State has never designated such a representative; Nye County has.

In Fiscal Year 1998, by congressional direction, no monies were provided to support the State’s oversight functions, but \$5 million was designated for affected units of government, and statutory Payments-Equal-to-Taxes were made to Nye County.

Fiscal Year 1998 Congressional Testimony and Meetings with Regulators and Oversight Bodies

Congressional Hearings

Senate

Date	Committee/Subcommittee	Witness
July 22, 1998	Energy and Natural Resources Committee	Secretary Richardson
March 4, 1998	Energy and Natural Resources Committee	Secretary Peña

House of Representatives

Date	Committee/Subcommittee	Witness
March 12, 1998	Appropriations Subcommittee on Energy and Water Development	Acting OCRWM Director Lake Barrett
February 5, 1998	Commerce Subcommittee on Energy and Power	Deputy Secretary Moler Under Secretary Moniz

Nuclear Regulatory Commission (NRC) Meetings

Date	Topic
September 29, 1998	Quarterly Technical Meeting: level of design for license application; thermal-mechanical effects on underground design including emplacement drift backfill; radionuclide transport within engineered barrier system; cross-drift excavation; alcove testing and niche studies; Busted Butte studies; geophysical studies
September 17, 1998	Technical Exchange: Technical Guidance Document; role of the document in the license application; consideration of 10 CFR Part 63 in the Technical Guidance Document; organization of the document
September 16, 1998	Technical Exchange: license application plan; organization and rationale of the plan; evolution of the repository safety strategy and its relation to preclosure/postclosure safety case; performance allocation and identification of needed information; technical work remaining to prepare a license application; status of quality controls on the technical program

September 2-3, 1998	Appendix 7 Meeting: cementitious materials - effects, DOE design, DOE approach to evaluating potential effects; NRC approach to reviewing the total system performance assessment prepared for the viability assessment (VA) and licensing agreement; areas of agreement, disagreement, and paths to resolution
August 27-28, 1998	103rd Advisory Committee on Nuclear Waste Meeting: progress in development of standard review plan and evaluation of decommissioning plans; update on activities and pilot programs of NRC Task Force on External Regulation of DOE
August 19, 1998	Management Meeting: schedule and status of proposed rule in 10 CFR 63 and Issue Resolution Status Reports; status of the VA and DOE's Decision Documentation Initiative; status of review of actinide-only burnup credit topical report; other issues
July 20-22, 1998	102nd Advisory Committee on Nuclear Waste Meeting: low-level waste post-disposal criticality issues; development of standard review plan for decommissioning; meeting with NRC on risk-informed, performance-based regulation, decommissioning, NRC research, and near-field/engineered barrier system; draft regulatory framework for geologic disposal; total system performance assessment methodology issue resolution status report; other topics
July 17, 1998	Appendix 7 Meeting: graded quality assurance approach for repository structures, systems, and components important to safety and waste isolation
June 18, 1998	Quarterly Technical Meeting: cross-drift excavation; alcove 1 testing; Busted Butte; site geologic and hydrogeologic framework models; seismic design basis inputs report; Seismic Topical Report III; deterministic seismic hazard analysis report; total system performance assessment-VA; other topics
June 10-12, 1998	101st Advisory Committee on Nuclear Waste Meeting: working group on the near-field environment and performance of engineered barriers; Nuclear Energy Institute comments on the Advisory Committee's priority issues
June 8-10, 1998	Appendix 7 Meeting: Issue Resolution Status Report, Repository Design and Thermal Mechanical Effects
May 28-29, 1998	Technical Exchange: installation and use of DOE's Geologic Framework Model, GFM3.0

May 6, 1998	Quality Assurance Meeting
April 29-30, 1998	Appendix 7 Meeting: Hanford N Reactor spent nuclear fuel; DOE licensing strategy for Hanford spent nuclear fuel; characterization and categorization of Hanford spent nuclear fuel; issues related to Hanford fuel requiring additional attention/analysis
April 21-23, 1998	100th Advisory Committee on Nuclear Waste Meeting: Committee activities, agenda, and reports; NRC's waste related research program and rulemaking; NRC's total system sensitivity analysis; Nuclear Energy Institute comments on the VA; NRC's guidance for review of the VA; other topics
April 8, 1998	Appendix 7 Meeting: matrix diffusion measurements
March 23-25, 1998	99th Advisory Committee on Nuclear Waste Meeting: risk-informed, performance-based regulation; decommissioning guidance—review of proposed final guidance for implementing the final rule on radiological criteria for license termination; discussion of nuclear waste-related research in preparation of a report to the NRC
March 17-19, 1998	Technical Exchange: total system performance assessment-VA
February 24-26, 1998	98th Advisory Committee on Nuclear Waste Meeting: review of NRC strategy and rulemaking plan for Yucca Mountain; status of the VA; other topics
February 11-12, 1998	Appendix 7 Meeting: progress in waste package material testing
February 10-11, 1998	Appendix 7 Meeting: Seismic Topical Report III, VA Design, and Engineering Assurance Program
January 21, 1998	Quality Assurance Meeting: concerns and activities related to quality assurance in the high-level radioactive waste program
January 14, 1998	Technical Exchange: purpose, scope, and content of the VA; the role of the VA in licensing; completion and distribution schedules for the VA
December 16-18, 1997	97th Advisory Committee on Nuclear Waste Meeting: status of Yucca Mountain-specific standards and regulations and site characterization; high-level radioactive waste issue resolution status reports and criteria; performance assessment capability in NRC's high-level radioactive waste program; recommendations on implementation of defense-in-depth approach; other topics

December 15, 1997	Quarterly Technical Meeting: updates on scientific studies and engineering design programs; seepage and moisture studies; thermal testing; unsaturated zone transport tests at Busted Butte; VA design activities and products
November 20-22, 1997	96th Advisory Committee on Nuclear Waste Meeting: NRC's Division of Waste Management priorities for FY 1998; Standard Review Plan for spent nuclear fuel dry storage facilities; waste classification at West Valley, Hanford, and Savannah River
November 5-6, 1997	Technical Exchange: total system performance assessment
November 4, 1997	Appendix 7 Meeting: Carrera Fault
October 21-23, 1997	95th Advisory Committee on Nuclear Waste Meeting: priorities and procedures for 1998; status and review of NRC research
October 15-16, 1997	Appendix 7 Meeting and Site Visit: subsurface geologic mapping

Nuclear Waste Technical Review Board: Full Board

Date	Topic
June 24, 1998	Repository safety strategy; total system performance assessment-VA and associated sensitivity studies; repository design alternatives; post closure safety case; work remaining for completion of site recommendation and license application; environmental impact statement alternatives; Nye County early warning drilling program; alternative repository design work
January 20-21, 1998	Yucca Mountain surface and underground exploration; Yucca Mountain environmental programs; Government Performance and Results Act; saturated zone program; thermal testing program
October 22-23, 1997	Mined geologic disposal system; repository-layout, design, construction sequence/waste placement; repository thermal management; engineered barrier system; alternative repository concepts; repository operations; subsurface operational area; remote operations; performance confirmation design; waste package design, fabrication, closure, criticality analysis, and degradation; repository criticality analysis

National Academy of Sciences, National Research Council: Board on Radioactive Waste Management

Date	Topic
March 19-20, 1998	New Developments in National Radwaste Activities and Waste Management Policies